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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/898,921	07/23/1997	YOICHI YAMAGISHI	35.C9583-CI.	6547

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EXAMINER

NGUYEN, LUONG TRUNG

ART UNIT PAPER NUMBER

2612

DATE MAILED: 05/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
08/898,921

Applicant(s)
Yamagishi

Examiner
Luong Nguyen

Art Unit
2612



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Feb 28, 2002
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27, 29, 33-35, and 37-43 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27, 29, 33-35, and 37-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

DETAILED ACTION

1. Note that this application has been transferred to Examiner Luong Nguyen, Art Unit 2612.
2. Applicant's arguments filed on 2/28/2002 have been fully considered but they are not persuasive.

In re page 5, the Applicant argues that Bullock does not teach or suggest a display unit that is enable a display unit to display sequential images sent from the image pickup apparatus, in a case that it is detected that the image pickup apparatus is connected, while having the display unit display an image was picked up by the image pickup apparatus and stored in a memory unit of the information processing apparatus, in a case that it is detected that the image pickup is not connected, as recited in the amended claim 27.

In response, in order for the camera control application to run in Bullock it is inherent that connectivity between the camera and the computer be verified by the computer, such verification inherently including detecting whether or not the camera is connected. In addition, the computer's workspace displays objects additional to that of the capture device (Column 4, Line 64 - Column 5, Line 7). Therefore even when the image pickup apparatus is detected as not being connected, display information that is contained in the computer's memory is displayed in the form of the "other objects". Bullock et al. disclose displaying sequential images sent from the image pickup apparatus (Column 5, Lines 29-60) and displaying an image was picked up by the image pickup

apparatus and stored in a memory unit of the information processing apparatus (images from the stack 206 may be displayed in several ways, Figures 12 and 13, Column 7, Lines 59-67).

In re page 6, Applicant argues that nothing in Bullock would teach that an image which was picked up by an image pickup apparatus and then stored in memory.

In response, regarding claim 27, Applicant amended claim 27 with the claim limitation "a memory unit adapted to store images which were picked up by said image pickup apparatus." The Examiner considers that claim 27 as amended still do not distinguish from Bullock et al. Patent. Bullock et al. disclose that images 198 and 208 which were picked up by camera 118 will be stored in storage in the notebook computer (Figures 1, 18, Column 8, Lines 27-33).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

4. Claims 27, 29, 33-35 and 37-43 are rejected under 35 USC 102(e) as being anticipated by Bullock et al. (U.S. Patent No. 5,675,358).

Regarding Claim 27, Bullock et al. disclose (Figures 1 and 2) an image processing system comprising an image pickup apparatus (118) including an image pickup unit (138); and an information processing apparatus (100) including an operating unit (132) adapted to enter

information, a processor (130) adapted to process information entered at the operating unit, a display unit (114) adapted to perform a display corresponding to data processed by the processor, a memory unit adapted to store images (Column 8, Lines 27-31), and an interface adapted to detachably connect said image pickup apparatus (See Figure 2 and Column 3, Lines 3-7 and Column 2, Lines 66-67 and note that the image pickup apparatus is clearly detachable since the computer is an off-the-shelf item to which the image pickup apparatus as a peripheral device clearly must be connected using a detachable connection); wherein the information processing apparatus further includes a detecting unit adapted to detect that the image pickup apparatus is connected (See Column 5, Lines 8-13 and note that a detection of whether or not the camera is connected is inherent in the decision to supply power thereto), and a controller adapted to enable the display unit to display sequential images sent from the image pickup apparatus in a case that the detecting unit detects that the image pickup apparatus is connected (Column 5, Lines 29-43, and to enable the display unit to display an image stored in the memory unit in a case that the detecting unit detects that the image pickup apparatus is not connected (See Column 5, Lines 1-7 and note that even when the image pickup apparatus is detected as not being connected, display image that is contained in the computer's memory is displayed in the form of the "other objects").

Regarding Claim 29, Bullock et al. disclose that the display unit displays an image sent from the image pickup apparatus in a window in a display screen thereon (Column 5, Lines 29-43).

Regarding Claims 33-35, Bullock et al. disclose that the display unit displays a result detected by the detecting means as marks that relate to a camera and indicate an image pickup condition thereof (Column 5, Lines 29-43).

As to Claims 37-41 see Examiner's comments regarding Claims 27, 29 and 33-35 respectively.

Regarding claims 42-43, Bullock et al. disclose wherein said controller controls said display unit so as to display the image picked up by said image pickup apparatus, during an image pickup operation by said image pickup apparatus (Column 5, Lines 29-60) and display the image stored in said memory unit, during a cessation of the image pickup operation by the image pickup apparatus (images from the stack 206 may be displayed in several ways, Figures 12 and 13, Column 7, Lines 59-67).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Luong Nguyen** whose telephone number is (703) 308-9297. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reach on (703) 305-4929.

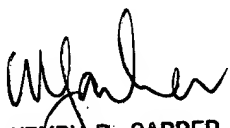
Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:
(703) 872 - 9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

LN LN
5/4/2002


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600